

REMARKS

The application has been amended and is believed to be in condition for allowance.

The claims have been amended.

The specification has been amended to add section headings and address formal matters.

Claims 1-7 stand rejected as anticipated by GREENE et al. 2005/0113755.

Claims 1, and 7-10 stand rejected as anticipated by LARSON et al. 6,893,421.

GREENE fairly discloses a safety catheter 10 comprising 1) a catheter body 22 communicating with a hub 18 of a cannula 19, 2) a needle 12 insertable into the catheter body 22 and the cannula 19, and 3) a needle body 44 supporting the needle 12.

The needle body 44 is slidable with respect to the catheter body 22, but the needle body 44 is not mounted inside the catheter body 22.

See the claim 1 recitation is that (emphasis added) "said body (30) of the guide needle is mounted slidably inside the catheter body (10) to be able to slide from a forward working position wherein the guide needle (3) protrudes forward from the catheter body to a retracted safety position wherein the guide needle (3) is protected inside the catheter body (10), there being provided locking means (40) disposed in said body (30) of the guide needle". Since the GREENE needle body 44 is not

mounted inside the catheter body 22; as shown in Figure 8, when the catheter is in the safety position, a portion of the needle 12 is uncovered by the catheter body 22. This is of course a very dangerous arrangement as it can involve the breaking of the needle 12.

Claim 1 has been amended to recite that the entire guide needle is protected, i.e., "a retracted safety position wherein the entire guide needle (3) is protected inside the catheter body (10),". See Figure 5 of the present application disclosing, when the catheter is in the safety position, all the needle is protected inside the catheter body avoiding the risk of needle breakage. GREENE does not anticipate this feature of the invention.

Further, in GREEN, when the catheter 10 is in the working position (Figure 5), the needle body 44 is not locked with respect to the catheter body 22. The needle body 44 can be retracted with respect to the catheter body 22. As a result, this situation can involve an accidental and non-intentional motion of the needle body 44 during the operation.

See again claim 1 reciting "there being provided locking means (40) disposed in said body (30) of the guide needle, cooperating with complementary locking or stop means (14, 15, 16) disposed in the catheter body (10), to lock the body (30) of the guide needle respectively in said forward working position and in said retracted safety position."

See Figure 2 of the present application showing that when the catheter is in the working position, the needle body 30 is locked with respect to the catheter body 10, by the locking means 40. Therefore, the needle body 30 cannot be retracted with respect to the catheter body, without an operation of the locking means 40 by the user.

To clarify this feature, the claim has been amended to "there being provided locking means (40) disposed in said body (30) of the guide needle, cooperating with complementary locking or stop means (14, 15, 16) disposed in the catheter body (10), to lock the body (30) of the guide needle relative to the needle body, respectively in said forward working position and in said retracted safety position."

Note that in GREEN, the locking means 30 of the catheter body 22 locks the catheter body 22 to the hub 18 of the cannula 19 and does not lock the catheter body 22 to the needle body 44. the locking means 47 of the needle body 44 locks the catheter body 22 only when the catheter body 22 is in the safety position (Figure 6). Thus, this recited feature of the present invention is not disclosed by GREENE.

Withdrawal of the GREENE rejection is therefore solicited.

LARSON discloses a catheter shaft assembly 120 comprising a first shaft 124 and a second shaft 126 sliding into the first shaft. The second shaft 126 is integral with a slider

142 sliding into a slot 148. The slider can be operated by the user in order to adjust the position of the second shaft. The movement of the second shaft is an index movement.

LARSON teaches to adjust the position of the second shaft, but LARSON does not make any teachings as to putting the needle of the catheter in a safety position.

Claim 1 has been amended to recite "the needle moving into the retracted safety position in a continuous movement under a pushing force of a spring means (5)". Claim 9 has also been amended. Claims 11-12 are new and are based on original specification disclosure.

Thus, LARSON does not anticipate. Withdrawal of the LARSON rejection is therefore solicited.

Reconsideration and allowance of all the claims are respectfully requested.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any

overpayment to Deposit Account No. 25-0120 for any additional
fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON



Roland E. Long, Jr. Reg. No. 41,949
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

REL/lk